

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT BODLEY,

Defendant.

ORDER

13-cr-52-bbc

In March 2020, defendant Scott Bodley asked this court for compassionate release from the federal prison in which he was housed. When his motion was denied, he submitted another motion for the same relief. This motion was also denied, because I believed that defendant had been placed in a halfway house to serve his term of supervised release and his second motion was therefore moot. In fact, defendant did not enter the halfway house until August 14, 2020.

Defendant appealed the denial of both motions, but only the second motion survived; the first was moot because he was released by the time he appealed it. Although I characterized the second motion as moot as well, this was a mistake, as the Court of Appeals for the Seventh Circuit pointed out on November 4, 2020. Defendant's appeal was not moot because he was asking in that appeal to serve his supervised release in a state other than Wisconsin, where he had been placed, and that relief could still be granted, if the court

found it appropriate.

As the court of appeals stated, this court has the authority to grant defendant a change in the location of his supervision, end the supervised release altogether, or keep the present supervised release in effect. Before ruling on this question, I will give defendant two weeks in which to file a response on the subject of his supervised release, setting forth the reasons why he believes that the court should grant him a change in the location in which he serves his term of supervised release or to end his supervised release altogether.

ORDER

IT IS ORDERED that defendant Scott Bodley may have until December 18, 2020, in which to file a brief explaining why he believes he is entitled to a change in the place in which he serves his supervised release or to an end to his supervision.

Entered this 3d day of December, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge